

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Abraham Ituah

Plaintiff

V.

City of Philadelphia, et al

Defendants

CIVIL ACTION
NO. 19-05088

AMENDED COMPLAINT

Plaintiff, Abraham Ituah brings this action for damages against Defendants, the city of Philadelphia and the employees violated plaintiff constitutional rights pursuant to 42 U.S. Code § 1983. Civil actions for deprivation of rights, in support hereof Plaintiff respectfully show unto the court the following facts:

1. Plaintiff, Abraham Ituah is a residence of the states of New York and Pennsylvania whose addresses are 92 Robinson Avenue, Newburgh NY 12550 and 419 W. Godfrey Avenue, Philadelphia, PA 19120.
2. Defendants, City of Philadelphia, James Zwolak, Brenda J. Philbin, Joseph Carrol, Pamela Elchert Thurmond, Carmen Sanchez, Rosyln Speller, John Doe 1 and John Doe 2 Police officers, all are employees of the city. Their addresses are 1515 Arch Street, Philadelphia PA 19143 and 1401 JFK Blvd, 5th and 11th floor Philadelphia PA 19102.
3. Plaintiff, Abraham Ituah, alleges that Defendant, James Zwolak Esquire is the head of Tax default unit was the legal cause of damages to plaintiff. By the following acts or omission to act, defendant caused the damages to plaintiff for intentionally discriminating against plaintiff based on Race and National origin for refusing to honor plaintiff invitation to discuss the illegal sale of the property as recommended by the state inspector general's office. Mr Zwolak

was intentionally not willing to return the property. He passed on the tradition of humiliation and Carmen Sanchez the account analyst continues to manipulate and inaccurately compute the tax amounts. The tax office doubled the 3 properties that were physically assessed to cause me financial problem. Ms. Sanchez Carmen intentionally prepared payment agreements a property the tax was fully paid. She used up the down payments made to protect some of the property from tax default to payoff accumulated interest and penalty without reductions on the principal amounts of the tax bills. The account on liens and claims are paid without updates. More taxes are collected again when the property are sold. The unfair experience caused plaintiff to file bankruptcy.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$250000 in the compensatory damages for intentionally violating Plaintiff constitutional rights to private property, which was sold under his supervision and punitive damages as the court may consider appropriate.

Respectfully Submitted,


PLAINTIFF

Date 10/07/2020

4. Plaintiff, Abraham Ituah alleges that defendants, Joseph Carrol and Brenda J. Philbin Esquire action was the legal cause of damages to plaintiff. By the following acts or omission to act. Defendants intentionally caused the damages to plaintiff on December 2018 shortly after plaintiff bankruptcy was dismissed on November 2018. John Doe 1, showed up at my building declaring it condemned and asked the 4 tenants to vacate the building immediately. At this time no violation was on record and the rental license was active. Mr. Joseph Carrol a building code supervisor who once worked plaintiff out of the office for unknown reason issue condemnation notice on December 27 2018. Mr. Brenda Philbin Esquire called plaintiff on the phone and the phone dropped. He gets offended and filed an action to demolish the

property on January 3 2019. On January 2, 2019, I hired Ph.D structural Engineer who contended that it was a fixable damage and Plaintiff pleaded for time to correct the problem but Mr. Philbin would not accept my pleading and pressed to obtain judgment to demolish. Plaintiff immediately filed appeal on January 3 2019. Mr. Philbin would not stop the process and the building was demolished in 2 weeks. Since the income property my life have never be the same again. Plaintiff has been experiencing several illnesses and sleepless nights and constantly having headache. Pains, depressions, restlessness and lost of monthly income of \$2100 from the property that was demolished. The loss of income placed Plaintiff in a serious psychological and mental distress to extent I am currently placed on 10mg of Fluoxetine capsules as medication.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$500000 in the compensatory damages for negligently and intentionally violating Plaintiff constitutional rights to property ownership and punitive damages, as the court may consider appropriate.

Respectfully Submitted,


PLAINTIFF

Date 10/8/2020

5. Plaintiff Abraham Ituah, alleges that defendant Pamela E. Thurmond was the legal cause of damages to Plaintiff. By the following act or omission to act. Defendant intentionally retaliated because I filed bankruptcy in New York State and she was compared to personally attend all hearings because Plaintiff declined to have a telephone hearing. As soon as the New York State bankruptcy was dismissed. She engineered inaccurate bills collections and encouraged the licensing units to demolish Plaintiff building. All payments received from escrow after settlements were not updated and the city continues to create bills and claims already paid. She recently pressed the bankruptcy court to dismiss Plaintiff bankruptcy filed on January 6 2020

based on inaccurate personal income tax claims that the city generated from 2005 through 2020 at the time plaintiff was not a residence of Philadelphia. She intentionally presented to the bankruptcy court the assessed value of 33 S 53RD Street, Philadelphia for \$210,000 to deceive the bankruptcy Trustee and it was impossible for Plaintiff to negotiate a reduced payoff with the creditor. The property at 3843 Fairmount Avenue was sold for \$34500. She refunded \$11, 112.54 on August 2018 contrary to court order issued on 2015. No explanation was given for the reduce payment.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$250000 in the compensatory damages for Retaliations and violating Plaintiff constitutional rights to sue under Diversity of citizenship and any other relief the court may consider appropriate.

Respectfully Submitted,



PLAINTIFF

Date 10/8/2020

6. Plaintiff, Abraham Ituah, alleges that defendant Rosyln Speller was the legal cause of damages to Plaintiff. By the following act or omission to act. Defendant intentionally caused damages of \$30,000 water bills to Plaintiff by simply refusing to stop the accounts at 5229 Germantown avenue building that was declared vacant by the city. In spite of plaintiff official request 3 times to stop the account. She intentionally refused and said 'I don't care someone must pay for it' she kept the water wasting until when the property was sold. Plaintiff was forced to pay the \$30000 owed on the account. Her action was a retaliation of the lawsuit Plaintiff filed against the city.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$25000 in the compensatory damages for intentionally causing water wastage and violating plaintiff constitutional rights and other relief the court may consider appropriate.

Respectfully Submitted,



PLAINTIFF

Date 10/8/2020

7. Plaintiff, Abraham Ituah, alleges that defendant Police Department and John Doe 2 was the legal cause of damages to Plaintiff. By the following act or omission to act. Defendant intentionally caused damages of the Mercedes Benz ML 320 Truck worth \$15000 was towed from Plaintiff private property without prior notices of violations. Plaintiff, have never heard before that the police have the power to impound a vehicle without prior violations. The event occurred shortly after plaintiff filed actions against the city of Philadelphia.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$20000 in the compensatory damages for violating my constitutional rights and other relief the court may consider appropriate.

Respectfully Submitted,


PLAINTIFF

Date 10/8/2020

8. As additional damages against defendant Plaintiff, Abraham Ituah, alleges defendant the city of Philadelphia and employees mentioned above were guilty of malice and oppression as defined in civil code section 3294-3296 and plaintiff should recover, in addition to actual damages.

WHEREFORE, Plaintiff hereby demands judgment of and from defendant in the amount of \$350000 in the compensatory damages for negligently violating Plaintiff constitutional rights and punitive damages the court may consider appropriate.

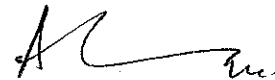
Respectfully Submitted,


PLAINTIFF

Date 10/8/2020

WHEREFORE, the actions of the Defendants 3 through 8 reveals that Plaintiff constitutional rights were intentionally and negligently violated pursuant to 42 U.S. Code § 1983. Civil actions for deprivation of rights. Other evidences shows that plaintiff was discriminated against based on Race and National origin as James Zwolak and his subordinate demonstrated. The most serious discrimination and constitutional rights violation occurred when plaintiff income property was demolished causing Plaintiff to lost monthly income of \$2100 and the 5 properties sold proceeds are paid to the city of Philadelphia to pay the excessive tax claims created bankrupt Plaintiff. Plaintiff, hereby pray that this court stop the city from collecting the charges of the cost of demolition, because the demolition was abuse of power especially as the structural engineer never suggested demolition. Plaintiff also requests that the city stopped the the city from collecting personal income tax of \$22000 created from 2005 through 2020 tax years. Plaintiff was not a Philadelphia residence at the time the accounts were created. These amendments were necessary for the just and equitable pursuit of and trial of this action.

Respectfully Submitted,



PLAINTIFF

Date

10/8/2020

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Abraham Ituah

Plaintiff

V.

City of Philadelphia, et al

Defendants

CIVIL ACTION
NO. 19-05088

CERTIFICATE OF SERVICE

I, Abraham Ituah hereby certify that service upon all interested parties, listed below, was made by sending a true and correct copy of **Plaintiff Amended Complaint** filed by Plaintiff in the above captioned civil Action by first class mail on _____.

Abraham Ituah

92 Robinson Avenue

Newburgh, NY 12550

James Zwolak, Esquire

1515 Arch Street,

Philadelphia PA 19143

Pamela Elchert Thurmond

1401 JFK Blvd, 5th and 11th floor

Philadelphia PA 19102.

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Abraham Ituah

Plaintiff

V.

City of Philadelphia, et al

Defendants

CIVIL ACTION
NO. 19-05088

ORDER

AND NOW, this day of , 2020, upon consideration of
Plaintiff, Abraham Ituah Amended Complaint, it is hereby ORDERED that the
Judgment of \$ _____ is granted.

BY THE COURT:

GERALD J. PAPPERT

U.S. District Judge

Carmen Sanchez

1401 JFK Blvd, 5th floor
Philadelphia PA 19102.

Brenda J. Philbin

1401 JFK Blvd, 11th floor
Philadelphia PA 19102.

Joseph Carrol

1401 JFK Blvd, 11th floor
Philadelphia PA 19102.

Roslyn Speller

1401 JFK Blvd, 5th floor
Philadelphia PA 19102.

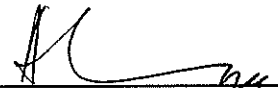
John Doe 1

John Doe 2 Police officers,
1515 Arch Street,
Philadelphia PA 19143

By: _____

10/8/2020

Sign _____

A handwritten signature in black ink, appearing to be a stylized 'K' followed by a horizontal line and a small flourish.

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

2020 OCT 8 PM 1:05

Abraham Ituah

Plaintiff

V.

City of Philadelphia, et al

Defendants

CIVIL ACTION
NO. 19-05088

ORDER

AND NOW, this day of , 2020, upon consideration of
Plaintiff, Abraham Ituah Amended Complaint, it is hereby ORDERED that the
Judgment of \$ _____ is granted.

BY THE COURT:

GERALD J. PAPPERT

U.S. District Judge